Single Bench

BEFORE THE HIGH COURT OF CHHATTISGARH AT

BILASPUR

4534
WP /2004(SB)
Service Matter (Transfer)

PETITIONER : Smt. Dineshwari Verma aged about 35 years w/o Shri Ashok Kumar Verma, posted at Health Centre, Chandkhuri Nikum as A.N.M., Dist.- Durg (CG)

P.R. No.
Presented by Sm. Meena Jaiswal
dated 29-11-04

VERSUS

RESPONDENTS :

1. State of Chhattisgarh throught Secretary, Health and Family welfare Department, Mantralay, DKS Bhawan, PO. & Distt- Raipur (CG)
2. Director, Health Services, State of Chattisgarh, Raipur, PO. & Distt- Raipur (CG)
3. Chief Medical & Health Officer, Durg, PO. & Distt- Durg.

Petition under Article 226/227 of the constitution of India for issuance of writ of certiorari & mandamus and any other writ/direction/order.

(27)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4539/04 **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

10-12-2004

Miss Meera Jaiswal, counsel for the petitioner.

Shri Sudhir Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. She further submits that the petitioner has been transferred vide order dated 26-10-2004 (Annexure-P/1). She further submits that the petitioner has been transferred against the policy framed by the State Govt. As per the policy, both the husband and wife shall be posted at the same place.

On the other hand, learned panel lawyer submits that the petitioner has been transferred temporarily on the administrative ground. However, he submits that the petitioner may be allowed to make a detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising her grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.

XI-HC—78

(28)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4534/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Gowri	Learned counsel for the petitioner submits that the petitioner has not been relieved. She prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observation, this petition stands disposed of. Consequently, M.W.P.No.4871/04 also stands disposed of. Sd/- Fakhruddin Judge	

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